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Not in TPL
Not in Smith
Not in C.A.
Not in Morgan
Not in Lyon

CORRESPONDENCE

RESPECTING CERTAIN OFFICIALS

IN THE

Colonies of British Columbia

AND

Vancouver Island,

BETWEEN

HIS GRACE THE DUKE OF NEWCASTLE,

SECRETARY OF STATE FOR THE COLONIES,

AND

MR. EDWARD E. LANGFORD.

LONDON:
EDWARD WEST, 18, NEWGATE STREET.
1863.

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CORRESPONDENCE,

&c.

31, Queen's Road, Camden Square, N.W.,
June 18, 1861.

My Lord Duke,

I beg most respectfully to claim your Grace's attention to the Statement herewith forwarded; a Statement containing complaints of a serious nature against certain Government Officials in Vancouver's Island.

STATEMENT.

At the general Election that took place in Vancouver's Island, in January 1860, I was solicited by numerous electors of the town of Victoria to come forward as a candidate to represent them in the Assembly; I acceded to their request, and published an address explanatory of my opinion on the affairs of the Colony, founded on an experience of nearly nine years' residence therein, and having been nearly the whole of that time a magistrate and Chairman of the Sessions. A few days after my address was published, an anonymous libel (in the shape of a placard) was published and posted in the town, containing insulting allusions to my family, and also defamatory of my private character. The printer of this *document* refused (on being applied to) to give up the names of

the authors of the libel. I then, hoping to compel a disclosure of the names of the authors, brought an action against the printer in the Supreme Court of Civil Justice.

The proceedings in Court at the trial were of an improper and vexatious character; on my refusing to answer a question which was irrelevant to the statement contained in the declaration, inquisitorial and harsh in its tendency, and which affected the interest of society at large, I was removed from the Court in custody of the sheriff. The examination for the defence was carried on in my absence, evidence which I had given on oath was struck out by direction of the Judge, and a nonsuit recorded: I was then brought into Court, was sentenced to be imprisoned in the common jail, and to pay a fine of 10*l.* I was taken to prison and locked up with felons, Indians, and maniacs. A bill of costs was afterwards sent in by the Attorney-General (who acted both as attorney and counsel for the defence), amounting to 90*l.* 9*s.* 2*d.*, which I declined to pay: judgment was then entered up for the amount *for* the Attorney-General's bill of costs, and my furniture and other effects seized under an execution; when two days prior to the time at which the sale was advertised to take place, I was presented by a committee of gentlemen with a sum of 500 dollars, the amount of a subscription raised by the inhabitants of the Island, for the purpose of enabling me to satisfy the amount of the execution, which I did on the 14th July, 1860.

In October last I accidentally made the discovery that the Attorney-General's bill of costs contained items of payment which had never in fact been made; and soon after Captain King, who was the printer of the libel against me, revealed to me the name of the author of the libel: it was Mr. Begbie, Judge of British Columbia;—and he (Captain King) further informed me, that Mr. Good (then, and, I believe, now, the private Secretary to Governor Douglas) brought the libel in manuscript to the printing office; and Captain King further told me, that Mr. Good gave him 20*l.* to pay to the Attorney-General, stating that he was to defend the action.

It is my wish that your Grace should distinctly understand, that in bringing the circumstances above-mentioned to your notice, it is not my object to seek any pecuniary redress whatever for the ill-treatment that I have received, but it is an official inquiry which I ask for, concerning acts, which I believe colonial officials have been guilty of, disgraceful to them in their official capacity, and *that*, when your Grace may be satisfied that my complaints are well-grounded, I feel assured that such acts as my Statement contains would not be allowed to be perpetrated with impunity in any of Her Majesty's Colonies, however distant or insignificant.

I have the honour to remain, my Lord Duke,

Your most obedient, humble servant,

EDWARD E. LANGFORD.

To His Grace the Duke of Newcastle,
Secretary of State for the Colonies, &c.

49, St. Paul's Road, Camden Square, N.W.,
May 21, 1862.

MY LORD DUKE,

I have the honour to enclose to your Grace the copy of a letter from the Registrar of the Supreme Court of Demerara [1], and also the copy of one from the Sheriff Clerk at Perth, giving information concerning Mr. David Cameron, the Chief Justice of Vancouver Island, who is one of the officials whose conduct is complained of in the statement which I had the honour to address to your Grace on the 18th of June last, which statement was placed in your Grace's hands by Mr. C. W. Fitzwilliam.

I have the honour to remain, my Lord Duke,

Your obedient, humble servant,

EDWARD E. LANGFORD.

To His Grace the Duke of Newcastle.

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[1] See Communication, p. 10.

Downing Street, May 31, 1862.

SIR,

I am directed by the Duke of Newcastle to acknowledge the receipt of your letters of the 18th of June, 1861, and the 21st of May, 1862, containing complaints against certain Government Officers in Vancouver Island.

I am to state to you in reply, that any charges which you had to prefer against the administration of justice in Vancouver Island ought either to have been brought forward in the Colonial Legislature, where their justice would have been tested by public discussion, or transmitted through the Governor, in which case he would have taken steps, before referring the charges to the Secretary of State, to give the parties inculpated the opportunity of explanation.

I am to add that it is wholly impossible for the Duke of Newcastle to take any other steps on such ex parte and imperfect statements as have now been submitted to him than that of sending your letters to the Governor with instructions to submit them to Mr. Cameron, Mr. Begbie, and Mr. Good, and to forward to his Grace, with his own observations, whatever statements any of those gentlemen may think it necessary to make on the subject.

I am, sir,

Your obedient servant,

(Signed) C. FORTESCUE.

Edward E. Langford, Esq,

June 6, 1862.

MY LORD DUKE,

Sir, I have the honour to acknowledge the receipt of a letter from Mr. C. Fortescue of the 31st ult., in which he states that any charges that I had to prefer against the administration of justice in Vancouver Island ought to have

been brought forward in the Colonial Legislature, or transmitted through the Governor.

In reply to those remarks, I beg to state, that from the peculiar composition of the small Legislative Assembly of Vancouver Island, an appeal to that body would been futile, and that from the connexion of Mr. Good and Mr. Cameron with the Governor, I felt convinced that an application to His Excellency would have been also useless. Mr. Fortescue remarks in his letter that my statements are imperfect. I must observe that from the singular nature of those statements, and the position of the persons that they affect, it could scarcely be expected that a complete chain of evidence could be produced in England; but as regards the unfitness and impropriety of the appointment of the person to whom the supreme administration of justice is entrusted, I did think that the copies of the letters from the Registrar-General at Demerara, and the Sheriff at Perth, would have been fairly conclusive.

I herewith give the simple facts as regard the Chief Justice, which facts can be proved by witnesses in this country. The facts are as follow: Mr. Cameron is a man of obscure origin, with no legal education whatever, and a very imperfect general one; he was an uncertificated bankrupt in Scotland, and was some time after discharged as an insolvent debtor in Demerara, shortly before coming to Vancouver Island. But for the impropriety of such a person as Mr. Cameron holding such a high and responsible office, it is extremely unlikely that I should ever have had to lay such grievances before your Grace.

I can most unhesitatingly assert that the purity of justice has been entirely overthrown in Vancouver Island, rendering the proceedings in the law courts in the colony the theme of scorn and derision among the colonists, as also throughout the American territory in the Pacific. I have felt disappointed at the delay that has taken place in instituting even the preliminary inquiries now about to be made, the treat-

ment I received at Vancouver Island having been to me fraught with serious loss and inconvenience. It is important for me to remark that no allusion to Mr. Carey, the Attorney-General of Vancouver Island, is made by Mr. Fortescue. The charge against Mr. Carey is, that he committed a fraud in his professional capacity, from which I know that he could not exculpate himself before a qualified and impartial judge.

I have the honour to be,

My Lord Duke,

Your obedient humble servant,

E. E. LANGFORD.

To His Grace the Duke of Newcastle.

Downing Street, June 21, 1862.

SIR,

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 6th instant, and to acquaint you that a copy of it, as of all your previous communications, has been forwarded to the Governor of Vancouver Island for his report.

I am, sir,

Your obedient servant,

C. FORTESCUE.

Edward E. Langford, Esq.

13, Mornington Crescent, Regent's Park,
February 20, 1863.

MY LORD DUKE,

I was informed by Mr. Chichester Fortescue by a letter dated June 21, 1862, that a copy of all my communications relating to my charges against certain Officials in Vancouver Island had been forwarded to the Governor of

that colony for his report; I am now desirous of being made acquainted whether any communication on the subject has been received from Governor Douglas; and if so, I beg to request that a complete copy of the same may be forwarded to me.

I have the honour to remain,

My Lord Duke,

Your most obedient humble servant,

EDWARD E. LANGFORD.

To His Grace the Duke of Newcastle, K.G., &c.

Downing Street, March 6, 1863.

SIR,

I am directed by the Duke of Newcastle to acquaint you, in reply to your letter of the 20th of February, that a despatch has been received from Governor Douglas in answer to the communication addressed to him in consequence of your letter of the 21st of May, 1862, but that this despatch does not enable His Grace to come to any decision respecting the subjects adverted to in your letter.

I am, sir,

Your obedient servant,

T. F. ELLIOTT.

E. E. Langford, Esq.

Perth, November 11, 1861.

DEAR SIR,

I have to apologize for not sooner answering yours of the 10th ult., but you will excuse the delay when I tell you that I have for the last few weeks been suffering from indisposition, generally confined to the house, and a good deal to

bed, and so prevented from obtaining the information noted below. I cannot discover that D. Cameron obtained any more formal discharge from his creditors than is implied in the fact that certain of his creditors took bills for his composition.

By the law of Scotland, although these bills were dishonoured when due, and so rendered the proceedings for recovery necessary which I showed you, that would not revive the original claim of the creditors to twenty shillings per pound. William Cameron, the cousin, has made a thorough search for the acknowledgment by David, of which he thought he was possessed, without being able to find it, and I have not succeeded in finding any specimen of his handwriting. Mr. Gray had nothing to do with the creditors, having only acted as notary for the banks at which the bills fell due.

I find, however, that David has two brothers, Charles and John Cameron, who carry on business as bakers in London. Their address is 16, Duke Street, Strand. I regret that I am unable further to satisfy your inquiries, and remain

Dear sir,

Yours truly,

ARCH. REID.

E. E. Langford, Esq.

Colonial Registrar's Office, Demerara,
June 24, 1861.

SIR,

Your letter addressed to the Colonial Secretary has been received, asking for information as to the bankruptcy of David Cameron. We have no Bankruptcy Law here;

but Mr. David Cameron filed a petition to be adjudged insolvent on the 28th of January, 1851;—there was no opposition, and on the 28th of April, 1851, the Supreme Court granted a full discharge to the insolvent.

I have the honour to be, sir,

Your obedient servant,

JAMES C. HITZLER,

Junr. Registrar.

E. E Langford, Esq.

THE END.

EDWARD WEST, PRINTER, 18, NEWGATE STREET, E.C.